

# **EXHIBIT 2**

**From:** Sandler, Joshua  
**Sent:** Monday, April 14, 2025 10:19 PM  
**To:** Slovak, Rob; Marx, Brandon C  
**Cc:** Johnson, Cory; Oliver, Jeremy; Patterson, Andrew; Robertson, Julie; McLaughlin, Heather; Lockhart, Steven C.; Durham, Tanya C.  
**Subject:** RE: Whinstone Corporate Representative Deposition

Thank you.

**Joshua M. Sandler**, Shareholder

Winstead PC | 2728 N. Harwood Street | Suite 500 | Dallas, Texas 75201  
[214.745.5103](tel:214.745.5103) direct | [972.358.9203](tel:972.358.9203) mobile | [jsandler@winstead.com](mailto:jsandler@winstead.com) | [winstead.com](http://winstead.com)



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**From:** Slovak, Rob  
**Sent:** Monday, April 14, 2025 9:52 PM  
**To:** Sandler, Joshua ; Marx, Brandon C  
**Cc:** Johnson, Cory ; Oliver, Jeremy ; Patterson, Andrew ; Robertson, Julie ; McLaughlin, Heather ; Lockhart, Steven C. ; Durham, Tanya C.  
**Subject:** Re: Whinstone Corporate Representative Deposition

I would prefer to proceed. See you tomorrow.

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**From:** Sandler, Joshua <[jsandler@winstead.com](mailto:jsandler@winstead.com)>  
**Sent:** Monday, April 14, 2025 9:37 PM  
**To:** Slovak, Rob <[rslovak@foley.com](mailto:rslovak@foley.com)>; Marx, Brandon C <[bmarx@foley.com](mailto:bmarx@foley.com)>  
**Cc:** Johnson, Cory <[cjohnson@winstead.com](mailto:cjohnson@winstead.com)>; Oliver, Jeremy <[joliver@winstead.com](mailto:joliver@winstead.com)>; Patterson, Andrew <[apatterson@winstead.com](mailto:apatterson@winstead.com)>; Robertson, Julie <[jrobertson@winstead.com](mailto:jrobertson@winstead.com)>; McLaughlin, Heather <[hmclaughlin@winstead.com](mailto:hmclaughlin@winstead.com)>; Lockhart, Steven C. <[slockhart@foley.com](mailto:slockhart@foley.com)>; Durham, Tanya C. <[tdurham@foley.com](mailto:tdurham@foley.com)>  
**Subject:** RE: Whinstone Corporate Representative Deposition

**\*\*\* EXTERNAL EMAIL MESSAGE \*\*\***

Rob, no. Our witness is still in town. If you want to proceed tomorrow (and it sounds like you do), please confirm and the witness will be at the deposition site.

Thanks!

**Joshua M. Sandler**, Shareholder

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**From:** Slovak, Rob <[rslovak@foley.com](mailto:rslovak@foley.com)>  
**Sent:** Monday, April 14, 2025 9:03 PM  
**To:** Sandler, Joshua <[jsandler@winstead.com](mailto:jsandler@winstead.com)>; Marx, Brandon C <[bmarx@foley.com](mailto:bmarx@foley.com)>  
**Cc:** Johnson, Cory <[cjohnson@winstead.com](mailto:cjohnson@winstead.com)>; Oliver, Jeremy <[joliver@winstead.com](mailto:joliver@winstead.com)>; Patterson, Andrew <[apatterson@winstead.com](mailto:apatterson@winstead.com)>; Robertson, Julie <[jrobertson@winstead.com](mailto:jrobertson@winstead.com)>; McLaughlin, Heather <[hmclaughlin@winstead.com](mailto:hmclaughlin@winstead.com)>; Lockhart, Steven C. <[slockhart@foley.com](mailto:slockhart@foley.com)>; Durham, Tanya C. <[tdurham@foley.com](mailto:tdurham@foley.com)>  
**Subject:** Re: Whinstone Corporate Representative Deposition

Josh:

I responded within 24 minutes of you asking for confirmation. Is it SBI's position that you released the witness in the 24-minute interval and that witness made travel plans, arranged for transportation, checked out of a hotel and left for the airport in that time period?

**Rob Slovak**  
 Partner

Foley & Lardner LLP  
 2021 McKinney Avenue, Suite 1600, Dallas, TX 75201-3340  
 Phone 214.999.4334 | Cell 214.507.6830  
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**From:** Sandler, Joshua <[jsandler@winstead.com](mailto:jsandler@winstead.com)>  
**Sent:** Monday, April 14, 2025 8:43:30 PM  
**To:** Slovak, Rob <[rslovak@foley.com](mailto:rslovak@foley.com)>; Marx, Brandon C <[bmarx@foley.com](mailto:bmarx@foley.com)>  
**Cc:** Johnson, Cory <[cjohnson@winstead.com](mailto:cjohnson@winstead.com)>; Oliver, Jeremy <[joliver@winstead.com](mailto:joliver@winstead.com)>; Patterson, Andrew <[apatterson@winstead.com](mailto:apatterson@winstead.com)>; Robertson, Julie <[jrobertson@winstead.com](mailto:jrobertson@winstead.com)>; McLaughlin, Heather <[hmclaughlin@winstead.com](mailto:hmclaughlin@winstead.com)>; Lockhart, Steven C. <[slockhart@foley.com](mailto:slockhart@foley.com)>; Durham, Tanya C. <[tdurham@foley.com](mailto:tdurham@foley.com)>  
**Subject:** RE: Whinstone Corporate Representative Deposition

**\*\*\* EXTERNAL EMAIL MESSAGE \*\*\***

Thanks, Rob. We went ahead and released the SBI witness after your statement below that SBI's corporate representative deposition will also need to be reset and your complaint regarding the data on Russian operations. Therefore, I'm afraid we will need to find new dates of availability for the SBI corporate representative as well.

Thanks!

**Joshua M. Sandler**, Shareholder  
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**From:** Slovak, Rob <[rslovak@foley.com](mailto:rslovak@foley.com)>  
**Sent:** Monday, April 14, 2025 7:46 PM  
**To:** Sandler, Joshua <[jsandler@winstead.com](mailto:jsandler@winstead.com)>; Marx, Brandon C <[bmarx@foley.com](mailto:bmarx@foley.com)>  
**Cc:** Johnson, Cory <[cjohnson@winstead.com](mailto:cjohnson@winstead.com)>; Oliver, Jeremy <[joliver@winstead.com](mailto:joliver@winstead.com)>; Patterson, Andrew <[apatterson@winstead.com](mailto:apatterson@winstead.com)>; Robertson, Julie <[jrobertson@winstead.com](mailto:jrobertson@winstead.com)>; McLaughlin, Heather

<[hmclaughlin@winstead.com](mailto:hmclaughlin@winstead.com)>; Lockhart, Steven C. <[slockhart@foley.com](mailto:slockhart@foley.com)>; Durham, Tanya C. <[tdurham@foley.com](mailto:tdurham@foley.com)>

**Subject:** Re: Whinstone Corporate Representative Deposition

Josh:

The Court order had nothing to do with what you reference below. This is at least the fourth time SBI has reset depositions in this case. We reserve our rights to seek costs.

We will proceed tomorrow under a reservation of rights.

We will find an alternative date for Whinstone.

**From:** Sandler, Joshua <[jsandler@winstead.com](mailto:jsandler@winstead.com)>

**Sent:** Monday, April 14, 2025 7:22 PM

**To:** Slovak, Rob <[rslovak@foley.com](mailto:rslovak@foley.com)>; Marx, Brandon C <[bmarx@foley.com](mailto:bmarx@foley.com)>

**Cc:** Johnson, Cory <[cjohnson@winstead.com](mailto:cjohnson@winstead.com)>; Oliver, Jeremy <[joliver@winstead.com](mailto:joliver@winstead.com)>; Patterson, Andrew <[apatterson@winstead.com](mailto:apatterson@winstead.com)>; Robertson, Julie <[jrobertson@winstead.com](mailto:jrobertson@winstead.com)>; McLaughlin, Heather <[hmclaughlin@winstead.com](mailto:hmclaughlin@winstead.com)>; Lockhart, Steven C. <[slockhart@foley.com](mailto:slockhart@foley.com)>; Durham, Tanya C. <[tdurham@foley.com](mailto:tdurham@foley.com)>

**Subject:** RE: Whinstone Corporate Representative Deposition

**\*\*\* EXTERNAL EMAIL MESSAGE \*\*\***

As detailed below, many of the very recently-produced documents were (and are) initially responsive to a Court Order from months ago. That circumstance is inescapable. We won't be able to even digest all the documents Whinstone served on us before Thursday's deposition. In other words, we won't be able to use much of those recently-produced documents in the deposition. Accordingly, for us to proceed with the Whinstone corporate representative on Thursday would be prejudicial to our position in the case. Therefore, we cannot take it at that time. If the need to reschedule that deposition for the reasons articulated above prompts Whinstone, for whatever reason, to reschedule tomorrow's SBI deposition, we will provide dates of availability for the rescheduling of that deposition.

Based on your prior correspondence, I presume that tomorrow's SBI corporate representative deposition is now postponed (as the Whinstone corporate representative will have to be postponed). Please confirm.

Thanks!

**Joshua M. Sandler**, Shareholder

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**From:** Slovak, Rob <[rslovak@foley.com](mailto:rslovak@foley.com)>

**Sent:** Monday, April 14, 2025 5:34 PM

**To:** Sandler, Joshua <[jsandler@winstead.com](mailto:jsandler@winstead.com)>; Marx, Brandon C <[bmarx@foley.com](mailto:bmarx@foley.com)>

**Cc:** Johnson, Cory <[cjohnson@winstead.com](mailto:cjohnson@winstead.com)>; Oliver, Jeremy <[joliver@winstead.com](mailto:joliver@winstead.com)>; Patterson, Andrew <[apatterson@winstead.com](mailto:apatterson@winstead.com)>; Robertson, Julie <[jrobertson@winstead.com](mailto:jrobertson@winstead.com)>; McLaughlin, Heather <[hmclaughlin@winstead.com](mailto:hmclaughlin@winstead.com)>; Lockhart, Steven C. <[slockhart@foley.com](mailto:slockhart@foley.com)>; Durham, Tanya C. <[tdurham@foley.com](mailto:tdurham@foley.com)>

**Subject:** Re: Whinstone Corporate Representative Deposition

Josh:

We produced documents responsive to SBI's most recent discovery requests and did so contemporaneous with the responses on the date due. There's nothing abusive about doing so.

By contrast, SBI withheld data on Russian operations requested in our first set of discovery until Friday night. This production came after expert reports, after we submitted a discovery dispute, and only one business day before SBI's corporate representative depo. Some of those documents SBI produced Friday are in another language.

If SBI wants to reset Whinstone's corporate representative deposition, you will need to reset SBI's corporate representative deposition as well. Please let me know before 9 pm tonight. Otherwise, we will see you tomorrow and Thursday.

**From:** Sandler, Joshua <[jsandler@winstead.com](mailto:jsandler@winstead.com)>

**Sent:** Monday, April 14, 2025 4:55 PM

**To:** Slovak, Rob <[rslovak@foley.com](mailto:rslovak@foley.com)>; Marx, Brandon C <[bmarx@foley.com](mailto:bmarx@foley.com)>

**Cc:** Johnson, Cory <[cjohnson@winstead.com](mailto:cjohnson@winstead.com)>; Oliver, Jeremy <[joliver@winstead.com](mailto:joliver@winstead.com)>; Patterson, Andrew <[apatterson@winstead.com](mailto:apatterson@winstead.com)>; Robertson, Julie <[jrobertson@winstead.com](mailto:jrobertson@winstead.com)>; McLaughlin, Heather <[hmclaughlin@winstead.com](mailto:hmclaughlin@winstead.com)>

**Subject:** Whinstone Corporate Representative Deposition

\*\*\* EXTERNAL EMAIL MESSAGE \*\*\*

Rob and Brandon,

We need to reschedule the Whinstone Corporate Representative deposition in light of Whinstone's production on April 11, 2025. The aforementioned production contained plainly responsive documents that the Court ordered Whinstone to produce back in October 2024. Waiting until the close of fact discovery—and only four business days before the deposition of Whinstone's corporate representative—to produce over 600 documents totaling over 2,000 pages is abusive. The obvious result is that, at a minimum, SBI needs additional time to review this production so that we may be adequately prepared for the corporate representative deposition of the named-defendant. By way of example, some of the documents produced by Whinstone on April 11, 2025 that are subject to the Court's order compelling production include:

- Invoices from Alcoa to Whinstone for Whinstone's water usage;
- Extensive email conversations between Whinstone personnel and Alcoa related water rights and needs;
- Extensive email conversations between Whinstone personnel, third-parties, and Alcoa related to Whinstone's TCEQ permit;
- Extensive email conversations between Whinstone personnel, third-parties, and Alcoa regarding to Whinstone's construction of the Rockdale Facility; and
- Extensive email conversations between Whinstone personnel and Alcoa regarding amendments to the Alcoa Lease.

In the meantime, please provide additional dates of availability for the deposition of Whinstone's corporate representative during the week of April 28, 2025 or May 5, 2025.

Thank you,

**Joshua M. Sandler**, Shareholder

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[214.745.5103](tel:214.745.5103) direct | [972.358.9203](tel:972.358.9203) mobile | [jsandler@winstead.com](mailto:jsandler@winstead.com) | [winstead.com](http://winstead.com)




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